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There are two criteria for a proper requirement for restriction between patentably distinct inventions:

- (a) the inventions must be independent or distinct as claimed; and
- (b) there must be a serious burden on the examiner if restriction is required. *MPEP 803.*

Considering Claim 9 that has been placed in Group II by the examiner, Claim 9 is a dependent claim, depending from claim 1. If claim 1 is allowable, claim 9, as a dependent claim, would also be allowable without an undue search by the examiner.

Considering group II and group I, the product of group II as claimed is made by the same process as that claimed in group I. Thus a search for group I would find, presumably, the related art for claim I which also would apply to the claims of group II except for the applications on water pipelines, which should not be a serious burden to search after searching group I.

Therefore, group I and group II should not be restricted.

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TC 1700

Remarks

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case. Although no fees are believed due, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to **Deposit Account No. 19-3878**.

Respectfully submitted,

9-9-02

Date

By

Alexander B. Ching  
Reg. No. 41,669

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CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I, Alexander N. Ching, hereby certify that this correspondence, pursuant to 37 C.F.R. §1.8, is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents, Washington, D.C. 20231, on:  
Date: 9-9-02 By Robert B. Ching

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ian Robinson Docket No.: 32093.00006  
Application No.: 09/781,596 Group Art Unit: 1762  
Filing Date: February 12, 2001 Examiner: Crockford, Kristen Anne  
TITLE COATING FOR DRINKING WATER PIPELINES

TRANSMITTAL OF RESPONSE TO OFFICE ACTION

Commissioner for Patents  
Washington, D.C. 20231

Commissioner:

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TC 1700

Herewith is a response in the above-identified application to the Office Action mailed on June 7, 2002. The fee set forth in 37 C.F.R. §1.17 is enclosed.

FEE CALCULATION, CLAIMS AS AMENDED:

	Claims remaining after amendment		Highest number previously paid for		Present Extra				Additional Fee
Total Effective Claims		minus	20	=	0	x	\$ 18.00	=	\$ .00
Independent Claims		minus	3	=	0	x	\$ 80.00		0.00
							Subtotal:		\$ .00

Subtotal:.00

Fee Calculation: Request for extension of time pursuant to 37 C.F.R. §1.136(a)

[ ]	Response filed within first month after due date – add	\$ 110.00
[ ]	Response filed within second month after due date – add	\$ 400.00
[ ]	Response filed within third month after due date – add	\$ 920.00
[ ]	Response filed within fourth month after due date – add	\$1440.00
[ ]	Response filed within fifth month after due date – add	\$1960.00



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[ ] Please charge Deposit Account No. 19-3878 in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is attached.

[ ] A Squire, Sanders & Dempsey L.L.P. check in the amount of \$ \_\_\_\_ is attached.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.18 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-3878 for which purpose a duplicate copy of this sheet is attached.

Respectfully submitted,

9-9-02

Date

By

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Application No.